UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,391	08/07/2001	Tal Givoly	XACTP001	6261

28875	7590	03/14/2006

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EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Supplemental Notice of Allowability		09/924,391	GIVOLY, TAL
		Examiner	Art Unit	
		Philip B. Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Interview on 3/9/06*.

2. ☒ The allowed claim(s) is/are *1,3-5,7-11,13,14,16-19 and 24-27*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *Attached* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Philip Tran

PRIMARY EXAMINER

SUPPLEMENTAL EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview

with Mr. Zilka (Reg. No. 41,429), the undersigned, on March 06, 2006 and on March 09,

2006. The application has been amended as follows:

        IN THE CLAIMS:

        Claim 20 has been canceled.

        Claims 1, 11 and 26 have been amended.

        Claim 27 has been newly added.

        Claim 1 has been amended as follows:

        1. (Currently Amended) A **computer-implemented** method for processing

network accounting information, comprising:

        receiving accounting information over a packet-switched network;

        monitoring at least one aspect of the received accounting information; and

        after receiving the accounting information, discarding at least a portion of the

accounting information that occurs during a surge in network traffic, based on the

at least one monitored aspect [[;]] **, after receiving the accounting information;**

processing at least a portion of the accounting information prior to passing to

subsequent accounting processing, based on ~~the monitored aspect~~ **at least one**

attribute of the accounting information , after receiving the accounting information;

and

allowing at least a portion of remaining accounting information to pass to the

subsequent accounting processing, after receiving the accounting information;

wherein the portion of the accounting information is discarded to prevent an

overload of **the** subsequent **accounting** processing.

Claim 11 has been amended as follows:

11. (Currently Amended) A computer program product ~~comprising~~ **embodied on**

a computer readable storage medium having computer code embodied therein for

processing network accounting information, comprising:

computer code for receiving accounting information over a packet-switched

network;

computer code for monitoring at least one aspect of the received accounting

information; ~~and~~

computer code for processing at least a portion of the accounting

information prior to passing to subsequent accounting processing, based on at

least one attribute of the accounting information, after receiving the accounting

information;

computer code for discarding at least a portion of the accounting information that

occurs during a surge in network traffic and is expendable, based on the **at least one**

monitored aspect, after receiving the accounting information; **and**

computer code for allowing at least a portion of remaining accounting information

to pass to **the** subsequent accounting processing, after receiving the accounting

information;

~~computer code for processing at least a portion of the accounting information~~

~~prior to passing to subsequent accounting processing, based on the monitored aspect,~~

~~after receiving the accounting information; and~~

~~computer code for allowing at least a portion of remaining accounting information~~

~~to pass to the subsequent accounting processing, after receiving the accounting~~

~~information;~~

wherein the portion of the accounting information is discarded to prevent an

overload of the subsequent accounting processing.

Claim 26 has been newly added as follows:

26. (Currently amended) A computer program product ~~comprising~~ **embodied on**

a computer readable storage medium having computer code embodied therein for

processing network accounting information, comprising:

computer code for receiving accounting information over a packet-switched network;

computer code for identifying at least one aspect of the received accounting information;

computer code for processing at least a portion of the accounting information prior to passing to subsequent accounting processing, based on ~~the identified aspect~~ **at least one attribute associated with the accounting information** , after receiving the accounting information;

computer code for ~~,after receiving the accounting information,~~ discarding at least a portion of the accounting information that occurs during a surge in network traffic, based on the **at least one** identified aspect [[;]] **, after receiving the accounting information; and**

~~computer code for processing at least a portion of the accounting information prior to passing to subsequent accounting processing, based on the identified aspect, after receiving the accounting information; and~~

computer code for allowing at least a portion of remaining accounting information to pass to the subsequent accounting processing, after receiving the accounting information;

wherein the portion of the accounting information is discarded to prevent an overload of **the** subsequent **accounting** processing.

Claim 27 is newly added as follows:

27. (New) A computer-implemented method for processing network accounting information, comprising:

receiving accounting information over a packet-switched network;

identifying at least one aspect of the received accounting information;

processing at least a portion of the accounting information prior to passing to subsequent accounting processing, based on at least one attribute of the accounting information, after receiving the accounting information;

discarding at least a portion of the accounting information that occurs during a surge in network traffic, based on the at least one identified aspect, after receiving the accounting information; and

allowing at least a portion of remaining accounting information to pass to the subsequent accounting processing, after receiving the accounting information;

wherein the portion of the accounting information is discarded to prevent an overload of the subsequent accounting processing.
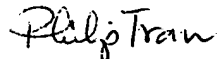

REASONS FOR ALLOWANCE

3.   Claims 1, 3-5, 7-11, 13-14, 16-19 and 24-27 are allowable over the prior art of record.

4.   This communication warrants no examiner's reason for allowance, as applicant's

reply makes evident the reason for allowance, satisfying the record as whole as

required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks in

the Appeal Brief filed on 29 September 2005 with respect to the amended claim

limitations point out the reason claims are patentable over the prior art of record. Thus,

the reason for allowance is in all probability evident from the record and no statement

for examiner's reason for allowance is necessary (see MPEP 13202.14).

5.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Philip B. Tran whose telephone number is (571) 272-

3991. The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

7.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Philip Tran

Philip B. Tran
Primary Examiner
Art Unit 2155
March 09, 2006